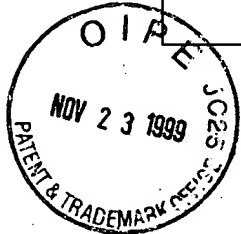


#5
C. Allen
12/9/99

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on November 16, 1999.

Peg Turiano
Peg Turiano



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

ALLEN et al.

Serial No.: 09/289,576

Filing Date: April 9, 1999

For: METHODS OF TREATING
SCHIZOPHRENIA

Examiner: Unknown

Group Art Unit: 1614

RECEIVED

NOV 26 1999

TECH CENTER 1600/2900

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR 1.10

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to a PTO document entitled "Application Filing Date" dated September 24, 1999, denying a Petition for a Corrected Filing Date under 37 CFR 1.10. The "Application Filing Date" document noted that the "there is no evidence from the USPS that an error has occurred." Applicant requests reconsideration of the earlier filed Petition.

With the Petition for a Corrected Filing Date (copy with attachments attached as Attachment 1), Applicants attached a copy of a USPS document signed by an employee of the USPS evidencing the specific date -- April 9, 1999 -- that the Express mail package was taken

into his possession. Included in Attachment 1 is a copy of the later received Express Mail Receipt showing an April 10, 1999, receipt date. Also included as Attachment 2 is a second photocopy of the USPS document more clearly showing the April 9, 1999 pickup date.

It is our understanding that the USPS employee who picked up the package on April 9, 1999, took it to his home Post Office and that that Post Office sent it, in turn, to a second Post Office site where it was processed the next day, April 10, 1999.

The fact that the USPS placed two different dates on two different documents is evidence that the USPS committed the error. Please reconsider the earlier Petition.

The Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this transmittal, or to credit any overpayment, to **Deposit Account No. 03-1952**, referencing docket no. 311772000600.

Respectfully submitted,

Dated: November 16, 1999.

By:



Nicholas Buffinger
Registration No. 39,124

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5816
Facsimile: (650) 494-0792

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on August 26, 1999.


Kathy Johnston

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

ALLEN et al.

Serial No.: 09/289,576

Filing Date: April 9, 1999

For: METHODS OF TREATING
SCHIZOPHRENIA

Examiner: Unknown

Group Art Unit: 1614

TRANSMITTAL

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Enclosed please find the following:

- Petition For A Corrected Filing Date Under 37 C.F.R. 1.10 (d)
- Corrected Filing Receipt bearing the filing date of April 10, 1999
- Copy of Transmittal with Certificate of Mailing by Express Mail bearing the date of April 9, 1999
- Copy of Express Mail Certificate No. EM056845428US bearing date of April 10, 1999
- Copy of Return Receipt Postcard bearing the mail date of April 9, 1999
- Copy of Ledger Sheet dated April 9, 1999

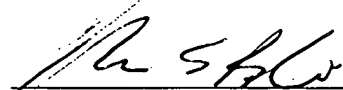
- Copy of USPS Pickup Service Statement bearing the pickup date of April 9, 1999
- Return Receipt Postcard

The Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this transmittal, or to credit any overpayment, to Deposit Account No. 03-1952.

Respectfully submitted,

Dated: August 26, 1999

By:



Nicholas S. Buffinger
Registration No. 39,124

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5816
Facsimile: (650) 494-0792

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (12/97) (modified)
Approved for use through 09/30/00. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	398802000600	Total Pages	34
First Named Inventor or Application Identifier			
METHODS OF TREATING SCHIZOPHRENIA By: Richard C. Allen and Michael Cornfeldt			
Express Mail Label No.	EM056845428US		

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EM056845428US

Date of Deposit: April 9, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Kathy Johnston
Kathy Johnston

COPY

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Specification [Total Pages <input type="text" value="32"/>] (preferred arrangement set forth below)</p> <ul style="list-style-type: none">- Descriptive title of the Invention- Cross References to Related Applications- Statement Regarding Fed sponsored R & D- Reference to Microfiche Appendix- Background of the Invention- Brief Summary of the Invention- Brief Description of the Drawings (if filed)- Detailed Description- Claim(s)- Abstract of the Disclosure <p>3. <input type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets <input type="text" value="1"/>]</p> <p>4. <input type="checkbox"/> Oath or Declaration [Total Pages <input type="text" value="1"/>]</p> <ul style="list-style-type: none">a. <input type="checkbox"/> Newly executed (original or copy)b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d) (for continuation/divisional with Box 17 completed) [Note Box 5 below]i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b) <p>5. <input checked="" type="checkbox"/> Incorporation By Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p>	<p>6. <input type="checkbox"/> Microfiche Computer Program (Appendix)</p> <p>7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <ul style="list-style-type: none">a. <input type="checkbox"/> Computer Readable Copyb. <input type="checkbox"/> Paper Copy (identical to computer copy)c. <input type="checkbox"/> Statement verifying identity of above copies <p>ACCOMPANYING APPLICATION PARTS</p> <p>8. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>9. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee)</p> <p>10. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>12. <input type="checkbox"/> Preliminary Amendment</p> <p>13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>14. <input type="checkbox"/> Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, Status still proper and desired</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input type="checkbox"/></p> <p>17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: *</p> <p>18. CORRESPONDENCE ADDRESS</p> <p>Nicholas S. Buffinger Registration No. 39,124</p> <p>Morrison & Foerster LLP 755 Page Mill Road Palo Alto, California 94304-1018 Telephone: (650) 813-5816 Facsimile: (650) 494-0792</p>

Attorney Dkt: 398802000600
Applications: Richard C. Allen and Michael Cornfeldt
Serial No. Applied for
Filing Date: April 9, 1999
Title: METHODS OF TREATING SCHIZOPHRENIA

Date: 4/9/99
NSB/ksj

EXPRESS MAIL EM056845428US

- Papers:
1. Transmittal Letter (2 pages)
 2. Specification (32 pages)
 3. This Return Receipt Postcard

EM056845428US

DOCKETED *JMS*

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APR 03 1999

MORRISON & CO. BOSTER LLP

PA 4/1/99	29900 - 20484.00 09/289,575	368	Specs. (83), Claims (9), Abstract (1), Dwgs. (12), ck. for \$ 986.00; (cert. Copy of Priority Docs.; Trans. under Rule 1.53 (b); Assign.; Signed Decl.; Exp. mail # ELOS3908693US
JR 4/1/99	39880 - 20006.00 09/289,576	337	Trans. Hr. (2), Specs. (32); Exp. mail # ELOS6845428US
JR 4/1/99	22500 - 20304.00 09/289,578	337	Trans. Hr. (2), Specs. (42), Dwgs. (14), Exp. mail # ELOS6845414 US
PA 4/1/99	31141 - 20011.00		Amend. Trans. (2); Amend. under CFR 1.116 (4); Copy of Submn. of formal Dwgs. w/ 2 shks. of Dwgs. (4)
PA 4/1/99	31141 - 20011.00	401	Submn. of formal Dwgs (2); (2) shks. of formal Dwgs.
PA 4/1/99	25169 - 20047.00		IDS (3), Form PTO 1449 (1), Ref. (13)
PA 4/1/99	15979 - 20001.00		Amend. Trans. (2); Amend. & Resp. to OA (2); Pending Claims (5). Copy of Not. To Comply w/ Req. for Pub. Appl. Containing Seq. Disclosures (1) Seq. list (3); Disk (1)
PA 4/1/99	37647 - 20002.00	345	Trans. (2); Second Req. for Corrected F.R. (2); Copy of Marked up F.R. (1) Copy of Stamped P.C. (1)
PA 4/1/99	29005 - 20045.02		IDS (3), PTO 1449 (2)
PA 4/1/99	35353 - 20009.00		Trans. Suppl. IDS (3), PTO-1449 (1) Ref. (20)
TRN	37361 - 20013.40		Filed Amendment; Resp to Int'l Search Report. (Repl. Pages 26 & 29.)
PA 4/1/99	31609 - 20001.21 PC	405	Trans. Dec. Pms. by Assignee c POA;